

CITY COUNCIL MEETING
WEDNESDAY, APRIL 18, 2018

CITY COUNCIL CONVENED IN REGULAR SESSION AND WAS CALLED TO ORDER BY PRESIDENT DEMAINE KITCHEN. ON A CALL OF THE ROLL THE FOLLOWING MEMBERS RESPONDED TO THEIR NAMES: BASIA ADAMCZAK, ANITA DAVIS, JULIUS OLIVER, NATE PINKARD, MIKE RAY, TJ RODGERS, AND DEMAINE KITCHEN, 7. COUNCILWOMAN LAUREN MCNALLY WAS ABSENT. COUNCIL SWORE ALLEGIANCE TO THE FLAG. THE MINUTES FROM MARCH 21, 2018, MARCH 26, 2018 AND APRIL 4, 2018 WERE APPROVED.

COMMUNICATIONS

COM-18-78 BOARD OF CONTROL MEETING WAS HELD APRIL 12, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-79 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD APRIL 5, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-80 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD APRIL 11, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-81 OHIO DEPARTMENT OF COMMERCE DIVISION OF LIQUOR CONTROL RE: TRFO: FROM SNTT PROPERTIES, LTD. DBA SHANE NESBITT'S MAHONING VALLEY LANES & PATIO, 2617 MAHONING AVE., YOUNGSTOWN, OHIO 44509 TO UNPAINTED ARIZONA, LLC DBA WESTSIDE BOWL & PATIO, 2617 MAHONING AVE., YOUNGSTOWN, OHIO 44509. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-82 COUNCILWOMAN LAUREN MCNALLY IS UNABLE TO ATTEND THE CITY COUNCIL MEETING ON APRIL 18, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-83 ROXANNE ALEXANDER REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON APRIL 18, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-84 FRANK RIVERA, JR. REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON APRIL 18, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

RESOLUTION

RES-18-06 HONORING MONSIGNOR ROBERT J. SIFFRIN, VICAR GENERAL OF THE DIOCESE OF YOUNGSTOWN AS THE RECIPIENT OF THE 2018 A.C.T.I.O.N HUMANITARIAN AWARD. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORDINANCES

ORD-18-83 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE ASBESTOS ABATEMENT, DEMOLITION, SITE CLEARANCE, BACKFILL, GRADING AND SEEDING OF STRUCTURE LOCATED AT 1005 BELMONT IN THE CITY OF YOUNGSTOWN. COST WILL NOT EXCEED \$300,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-84 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT WITH THE WATER POLLUTION CONTROL LOAN FUND FOR A LOAN NOT TO EXCEED ~~\$30,000,000.00~~ **\$20,000,000.00**. PROCEEDS FROM THE LOAN WILL BE USED TO FUND CONSTRUCTION OF THE PRIMARY EFFLUENT PUMP STATION, AUXILIARY PRIMARY EFFLUENT PUMP STATION AND MICRO SCREEN IMPROVEMENTS. THIS WORK IS PART OF THE LONG TERM CONTROL PLAN; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD WAS AMENDED TO READ **\$20,000,000.00**. THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE AMENDED ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-85 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT WITH THE WATER POLLUTION CONTROL LOAN FUND FOR A LOAN NOT TO EXCEED \$8,500,000.00. PROCEEDS FROM THE LOAN WILL BE USED TO FUND CONSTRUCTION OF UV DISINFECTION IMPROVEMENTS. THE PROJECT IS PART OF THE LONG TERM CONTROL PLAN AS REQUIRED BY THE CONSENT DECREE WITH THE U.S. EPA; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-86 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT WITH THE WATER POLLUTION CONTROL LOAN FUND FOR A LOAN NOT TO EXCEED \$5,000,000.00. PROCEEDS FROM THE LOAN WILL BE USED TO FUND CONSTRUCTION OF ELECTRICAL IMPROVEMENTS. THE PROJECT IS PART OF THE LONG TERM CONTROL PLAN AS REQUIRED BY THE CONSENT DECREE WITH THE U.S. EPA; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-87 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER WHO IS RESPONSIBLE FOR THE UV DISINFECTION IMPROVEMENTS. THE PROJECT IS PART OF THE LONG TERM CONTROL PLAN AS REQUIRED BY THE CONSENT DECREE WITH THE U.S. EPA. COST WILL NOT EXCEED \$8,500,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-88 AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$5,000.00 FROM KEEP AMERICA BEAUTIFUL TO SUPPORT IMPLEMENTATION OF A CIGARETTE LITTER PREVENTION PROGRAM. FURTHER, APPROPRIATING \$5,000.00 TO LITTER CONTROL PROJECTS – FUND 2903; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-89 APPROPRIATING \$6,000.00 INTO FUND 2904.30.50_5103, THE MUNICIPAL COURT PROBATION SERVICES FUND TO PAY MERIDIAN HEALTH CARE FOR VETERANS COURT DRUG SCREENINGS; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-90 APPROPRIATING \$11,000.00 INTO FUND 2904.30.50, THE MUNICIPAL COURT PROBATION SERVICES FUND (\$10,000.00 INTO FUND 2904.30.50_5101, TRAVEL AND \$1,000.00 INTO FUND 2904.30.50_5109, OFFICE SUPPLIES) TO PAY TRAVEL EXPENSES AND PURCHASE OFFICE SUPPLIES FOR THE VETERANS TREATMENT COURT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-91 ESTABLISHING TWO-HOUR METERED PARKING ALONG THE SOUTH SIDE OF LINCOLN AVENUE BETWEEN FIFTH AVENUE AND WICK AVENUE AT AN HOURLY RATE OF \$1.50; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND

UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-92 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$300.00 FROM THE THIRD WARD DISCRETIONARY FUND TO SUPPORT THE HUGH O'BRIEN YOUTH LEADERSHIP (HOBY) SEMINAR AT YSU; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-93 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$100.00 FROM THE SEVENTH WARD DISCRETIONARY FUND TO THE GIBSON HEIGHTS BLOCK WATCH FOR A COMMUNITY EASTER EGG HUNT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-94 AMENDING SECTION 979.02, GARBAGE RECEPTACLES OF CHAPTER 979, GARBAGE AND RUBBISH COLLECTION OF THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN TO INCLUDE (h) EVERY PERSON MAINTAINING A GARBAGE RECEPTACLE(S) SHALL BE REQUIRED TO KEEP SUCH RECEPTACLE(S) IN THE REAR AREA OF HIS RESIDENCE EXCEPT FOR A PERIOD OF TWELVE HOURS PRIOR TO COLLECTION AND TWENTY-FOUR HOURS SUBSEQUENT TO COLLECTION. IN THE EVENT THAT THE REAR AREA IS ADJACENT TO ANY PUBLIC WAY, SUCH RECEPTACLE SHALL BE KEPT AT LEAST TWENTY-FIVE FEET AWAY FROM SUCH ADJACENT PUBLIC WAY; AND (i) ANY PERSON WHO VIOLATES ONE OR MORE OF SUBSECTIONS (b) – (f) IS GUILTY OF A MISDEMEANOR OF THE FOURTH DEGREE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-18-95 AUTHORIZING THE CITY OF YOUNGSTOWN, PURSUANT TO OHIO REVISED CODE 723.06 TO PROVIDE FOR THE VACATION OF AN UNNAMED RIGHT-OF-WAY NORTH OF WILSON AVENUE, APPROXIMATELY 11.4 FEET BY 201.8 FEET TO CITY LOT NUMBERS 7635 AND 7636, AS SHOWN ON THE ATTACHED MAP MARKED EXHIBIT "A"; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

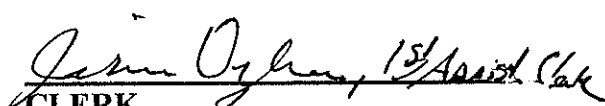
ORD-18-96 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED ON N. BLAINE AVENUE, CITY LOT NUMBERS 7635 (PARCEL NUMBER 53-34-293), 7635 (PARCEL NUMBER 53-34-294) AND LOCATED ON N. CENTER STREET, CITY LOT NUMBER 7636 (PARCEL NUMBER 53-34-305), CURRENTLY ZONED RS-5.5 (ONE AND TWO FAMILY RESIDENTIAL) TO MU-C (MIXED USE COMMUNITY); AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD **WAS MOVED TO THE PLANNING COMMISSION.**

SECOND READING

ORD-18-71 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MILLSTONE AND KANNENSOHN FOR COLLECTION SERVICES, INCLUDING INVOICES, LETTERS, NOTICES AND ORDERS AND THE COLLECTION COSTS PERTAINING TO GRASS CUTTING, LOT CLEAN-UP, AND BOARD-UP SERVICES VIA ASSESSMENT TO THE TAX DUPLICATE, COLLECTION EFFORTS OR BOTH. COST IS \$99,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE SECOND TIME AND UPON MOTION OF MR. PINKARD **WAS MOVED TO A THIRD READING.**

UPON MOTION COUNCIL ADJOURNED.

APPROVED: WEDNESDAY, MAY 2, 2018


CLERK


PRESIDENT OF COUNCIL